

Message

From: Bolen, Brittany [bolen.brittany@epa.gov]
Sent: 5/11/2017 1:43:57 PM
To: Brown, Byron [brown.byron@epa.gov]
Subject: FW: Questions for Administrator
Attachments: Heritage Questions.docx

Byron, I'm working on Q4. Do you have a couple bullets for Q6?

From: Ferguson, Lincoln
Sent: Wednesday, May 10, 2017 2:18 PM
To: Brown, Byron <brown.byron@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Subject: Questions for Administrator

Please take a look at the attached document. These are for a discussion tomorrow evening. Would appreciate your input on questions 4 and 6.

Thanks,
Lincoln

Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Questions for Scott Pruitt

1. Scott, I think it fair to say that you were viewed, and perhaps are still viewed, with a healthy degree of skepticism, if not downright distrust, by the career folks at the EPA when you walked through the door. After all, until recently, you were active in suing the agency you now head. How have the career people responded to you now that you are there, and how have you navigated the difficult path of assuring them that you will continue to do what is necessary to protect the environment, while at the same time cutting back on some of the excesses of past administrations?

Deliberative Process / Ex. 5

2. What are going to be your top priorities as EPA administrator?

Deliberative Process / Ex. 5

3. The EPA has for years taken a very aggressive stand on how broadly the Endangered Species Act applies, including to species that are both non-commercial and wholly intrastate. Critics have argued that this exceeds the federal government's authority under the Commerce Clause to regulate, a position you were sympathetic to as Oklahoma Attorney General. How do you approach such issues now, and is there any prospect that the EPA will realign its regulatory regime to conform with a more traditional view of the constitutional limitations imposed by the Commerce Clause?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

4. One issue that came up a lot during the Gorsuch confirmation hearings was the Chevron doctrine, and Senators Mike Lee and Ben Sasse have introduced the Separation of Powers Restoration Act to overturn the Chevron decision. What are your views of the Chevron doctrine? How much deference do you think courts should give to agencies such as the EPA when it comes to interpreting of arguably ambiguous laws as well as their own regulations?
5. One hears rumors that there are robust discussions going on behind the scenes on such issues as how to re-write the Waters of the United States Rule in the Clean Water Act, whether and how to cut back on costly ethanol mandates and greenhouse gas emission limits, and whether to withdraw from the Paris Climate Agreement. What insights can you offer to us about that process is going and, without naming names, what concerns are people raising during those discussions?
6. Can you provide a few examples of EPA environmental regulations that you think are necessary to achieve the goals of the environmental protection laws and some examples of EPA regulations that may not be necessary to achieve those goals?

Message

From: Brown, Byron [brown.byron@epa.gov]
Sent: 3/30/2017 12:45:26 AM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Dravis, Samantha [dravis.samantha@epa.gov]
Subject: Re: National Cattlemen's speech

Sorry wanted to add:

Deliberative Process / Ex. 5

Sent from my iPhone

On Mar 29, 2017, at 6:41 PM, Brown, Byron <brown.byron@epa.gov> wrote:

Here are a couple of talking points on nutrient management issues. You should check with Sarah because previous OK AG Edmondson was involved in a lawsuit against Tyson foods claiming land application of chicken litter violated RCRA. The court rejected the argument. We could add a sentence or two referencing that decision but not sure what the Administrator's involvement on the issue may have been.

DRAFT

Deliberative Process / Ex. 5

From: Ferguson, Lincoln
Sent: Wednesday, March 29, 2017 4:25 PM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: National Cattlemen's speech

Byron, looping you in on this as well.

Don't need anything super detailed – just need a few examples for SP to use tomorrow on rules/regulations that have had a negative effect on farming/ranching community.

From: Ferguson, Lincoln

Sent: Wednesday, March 29, 2017 4:12 PM

To: Dravis, Samantha <dravis.samantha@epa.gov>

Subject: National Cattlemen's speech

Hey Sam –

Tomorrow is the National Cattlemen's Beef Association speech where SP will be speaking to approx. 300 cattlemen from across the country.

Are there any specific issues/policies he needs to be briefed on prior? WOTUS is obviously going to be their biggest deal, but they've also mentioned FIFRA/CERCLA, the SPCC rule, Clean Air Act and the National Enforcement Initiative.

Right now I have him doing the EPA Originalism speech but want to incorporate some of these if possible. Let me know your thoughts.

Lincoln Ferguson

Office of Public Affairs

(202) 564-1935

U.S. EPA

Message

From: Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]
Sent: 6/19/2017 4:50:12 PM
To: Dravis, Samantha [dravis.samantha@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: RE: Pruitt, utility CEOs to discuss Clean Power Plan today
Attachments: Utility Meeting_Attendee List_FINAL.docx; Utility Meeting TPs.docx; Agenda_EPA Roundtable June19 (004).docx

Attached are all docs for the meeting. SPs final points included in the TPs.

From: Dravis, Samantha
Sent: Monday, June 19, 2017 12:37 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: Pruitt, utility CEOs to discuss Clean Power Plan today

After that asinine meeting this morning, the giant cockroach I just saw in the bathroom and now this.. I am amped for this meeting ☺

From: Jackson, Ryan
Sent: Monday, June 19, 2017 12:36 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: Pruitt, utility CEOs to discuss Clean Power Plan today

Yep.

From: Dravis, Samantha
Sent: Monday, June 19, 2017 12:35 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: FW: Pruitt, utility CEOs to discuss Clean Power Plan today

Hey thanks so much, Quin.

From: POLITICO Pro Energy Whiteboard [mailto:politicoemail@politicopro.com]
Sent: Monday, June 19, 2017 12:30 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Pruitt, utility CEOs to discuss Clean Power Plan today

By Alex Guillén and Darius Dixon

06/19/2017 12:27 PM EDT

EPA Administrator Scott Pruitt is scheduled to meet today with top electric industry executives to discuss the rollback of the agency's Clean Power Plan, according to four industry sources.

The meeting is scheduled to start at 1 p.m. at EPA headquarters. EPA did not immediately respond to a request for comment.

At least 10 utility CEOs are expected to be there, according to a list of confirmed attendees viewed by POLITICO. They include Entergy's Leo Denault, Duke's Lynn Good, AEP's Nick Akins, DTE's Gerry Anderson, Ameren's Warner Baxter, Exelon's Chris Crane, PNM's Pat Vincent-Collawn, Dominion's Tom

Farrell, Xcel's Ben Fowke and Oklahoma Gas Electric's Sean Trauschke. Municipals power companies and electric coops have also been invited, the sources said.

Southern Co. CEO Tom Fanning was invited, a source said, but Fanning is scheduled to speak at the Mid-American Regulatory Conference in Chicago this afternoon.

While the meeting is expected to focus on the Obama-era power plant emissions rule, one of the sources said other energy issues may come up.






WHAT'S NEXT: EPA's proposal for dealing with the Clean Power Plan is currently under review at the White House Office of Management and Budget. It is unclear whether EPA will propose a full repeal of the rule before potentially replacing it, or if the agency will instead seek to drastically scale it back through a new rulemaking.

Esther Whieldon contributed to this report.

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/06/pruitt-utility-ceos-to-discuss-clean-power-plan-today-089272>

Was this Pro content helpful? Tell us what you think in one click.

				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Energy: Scott Pruitt; Energy: EPA; Energy: Climate Change. To change your alert settings, please go to <https://www.politicopro.com/settings>

POLITICOPRO

This email was sent to dravis.samantha@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Roundtable: Regulatory Path Forward for the Utility Sector
Monday June 19, 2017

Agenda:

- I. Welcome and Introductory Remarks by Administrator Pruitt
- II. Opening Statements of Panelists (3 minutes each)
- III. General Discussion (approximately 50 minutes)
 - a. Technology and Capabilities
 - b. Path Toward Regulatory Certainty

Introductory Remarks:

Ex. 5 Deliberative Process (DP)

CPP did not work.

Ex. 5 Deliberative Process (DP)

AG OK Plan:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

- This is one approach. I'm interested to hear your approaches.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 3/6/2017 12:23:09 AM
To: Schnare, David [schnare.david@epa.gov]; Konkus, John [konkus.john@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Benton, Donald [benton.donald@epa.gov]
Attachments: STUMP1.docx

The Administrator and I will be traveling Monday and Tuesday. Please do not worry about the 8am either days.

However, we need to use this time to develop the final ticker or whatever format for upcoming agency actions and rulemakings, consent decree negotiations and which ones need to be revisited, upcoming grants (I have something working on that), and upcoming NOV's and enforcement case filings. We'll need to present these formats to him by the Wednesday am meeting. Please loop Byron into this.

The midterm review notice is well in hand. We need to develop the notices issued pursuant to the energy independence EO to be able to report to the Administrator Wednesday as well.

Also, per Kevin's emails, we'll need to circle back with the Administrator at some point soon on how we are going to make good on the ANPRM on WOTUS.

I'm still gathering information on the Wednesday morning event at the WH, but Wednesday afternoon he'll travel to Houston with Samantha for CERA. Konkus, we will need a speech for that. Attached is the speech for NAM. I think CERA will need to be slightly different.

Thank you guys. See you Wednesday.

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency

Ex. 6

THEME: Optimism and Hope

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

BRIDGE: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

RESTORING COOPERATIVE FEDERALISM

Ex. 5 Deliberative Process (DP)

RESTORING TRUST

Ex. 5 Deliberative Process (DP)

**HONORING THE PRESIDNET'S
COMMITMENTS**

Ex. 5 Deliberative Process (DP)

END: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Fotouhi, David [fotouhi.david@epa.gov]
Sent: 5/11/2017 9:45:49 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
CC: Dravis, Samantha [dravis.samantha@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Schwab, Justin [schwab.justin@epa.gov]
Subject: RE: Questions for Administrator

Thanks!

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bolen, Brittany
Sent: Thursday, May 11, 2017 5:43 PM
To: Fotouhi, David <fotouhi.david@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: RE: Questions for Administrator

Yep. Here are the bullets Lincoln sent over:

Deliberative Process / Ex. 5

From: Fotouhi, David
Sent: Thursday, May 11, 2017 5:34 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: RE: Questions for Administrator

No problem. Could you share the response whenever you get the chance so I know the direction? Thanks!

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bolen, Brittany

Sent: Thursday, May 11, 2017 4:41 PM

To: Fotouhi, David <fotouhi.david@epa.gov>

Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>

Subject: Re: Questions for Administrator

I'm so sorry David, they were able to speak with the administrator this morning on this and Lincoln has a good response. I meant to follow up with you. Appreciate you putting so much thought into this.

Sent from my iPhone

On May 11, 2017, at 4:32 PM, Fotouhi, David <fotouhi.david@epa.gov> wrote:

Here are three proposed responses to the question on Chevron deference. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

One issue that came up a lot during the Gorsuch confirmation hearings was the Chevron doctrine, and Senators Mike Lee and Ben Sasse have introduced the Separation of Powers Restoration Act to overturn the Chevron decision. What are your views of the Chevron doctrine? How much deference do you think courts should give to agencies such as the EPA when it comes to interpreting of arguably ambiguous laws as well as their own regulations?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Dravis, Samantha
Sent: Wednesday, May 10, 2017 8:42 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: Re: Questions for Administrator

You'll need to ask him about this because I recall when he was Attorney General he obviously was really not a fan of Chevron deference. Lately he's taken a more nuanced tone

Sent from my iPhone

On May 10, 2017, at 6:32 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

I don't know. This may be a better question for Sam.

From: Fotouhi, David
Sent: Wednesday, May 10, 2017 5:44 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: RE: Questions for Administrator

Sure, but do you have a sense of where the Administrator is substantively on the issue of the level of deference owed to agencies by courts? Happy to discuss.

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bolen, Brittany
Sent: Wednesday, May 10, 2017 3:09 PM
To: Fotouhi, David <fotouhi.david@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: Fwd: Questions for Administrator

You two want to take a crack at Q4?

Sent from my iPhone

Begin forwarded message:

From: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Date: May 10, 2017 at 2:17:58 PM EDT
To: "Brown, Byron" <brown.byron@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>
Subject: Questions for Administrator

Please take a look at the attached document. These are for a discussion tomorrow evening. Would appreciate your input on questions 4 and 6.

Thanks,
Lincoln

Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Message

From: Dravis, Samantha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ECE53F0610054E669D9DFFE0B3A842DF-DRAVIS, SAM]
Sent: 3/29/2017 8:42:12 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: National Cattlemen's speech

He should definitely mention Chloropyrifos and how we denied the petition from NRDC to ban the stuff. Let me think on other issues.

I will plan to go to this one.

From: Ferguson, Lincoln
Sent: Wednesday, March 29, 2017 4:12 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: National Cattlemen's speech

Hey Sam –

Tomorrow is the National Cattlemen's Beef Association speech where SP will be speaking to approx. 300 cattlemen from across the country.

Are there any specific issues/policies he needs to be briefed on prior? WOTUS is obviously going to be their biggest deal, but they've also mentioned FIFRA/CERCLA, the SPCC rule, Clean Air Act and the National Enforcement Initiative.

Right now I have him doing the EPA Originalism speech but want to incorporate some of these if possible. Let me know your thoughts.

Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Message

From: Bolen, Brittany [bolen.brittany@epa.gov]
Sent: 5/11/2017 2:16:45 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Brown, Byron [brown.byron@epa.gov]
Subject: RE: Questions for Administrator

This is great. Thank you!

From: Ferguson, Lincoln
Sent: Thursday, May 11, 2017 10:13 AM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Brown, Byron <brown.byron@epa.gov>
Subject: RE: Questions for Administrator

I think we're good to go. Here's what I prepared for him. He has been outspoken about Chevron as AG so I think he'll be able to cover it:

Deliberative Process / Ex. 5

From: Bolen, Brittany
Sent: Thursday, May 11, 2017 10:11 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Brown, Byron <brown.byron@epa.gov>
Subject: RE: Questions for Administrator

Lincoln, Q4 is tricky and Sam suggested we speak with the administrator directly about it. I understand Sarah just got off phone with him and covered it. Let me know if you would like some context.

From: Ferguson, Lincoln
Sent: Thursday, May 11, 2017 9:58 AM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Brown, Byron <brown.byron@epa.gov>
Subject: RE: Questions for Administrator

Agreed. Thanks for the input!

From: Bolen, Brittany
Sent: Thursday, May 11, 2017 9:45 AM
To: Brown, Byron <brown.byron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: Questions for Administrator

Deliberative Process / Ex. 5

From: Brown, Byron
Sent: Thursday, May 11, 2017 9:44 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Bolen, Brittany <bolen.brittany@epa.gov>

Subject: Re: Questions for Administrator

Deliberative Process / Ex. 5

Sent from my iPhone

On May 10, 2017, at 6:51 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

Yes for sure. We're leaving around 10:30am

Thanks!

Sent from my iPhone

On May 10, 2017, at 6:36 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

Lincoln, can I get back to you on this tomorrow morning? I don't have a strong sense of where he is on question 4 and wanted to chat with Sam and Sarah about it.

From: Ferguson, Lincoln

Sent: Wednesday, May 10, 2017 2:18 PM

To: Brown, Byron <brown.byron@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>

Subject: Questions for Administrator

Please take a look at the attached document. These are for a discussion tomorrow evening. Would appreciate your input on questions 4 and 6.

Thanks,
Lincoln

Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Message

From: Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]
Sent: 5/11/2017 1:59:01 PM
To: Fotouhi, David [fotouhi.david@epa.gov]
Subject: RE: Questions for Administrator

Hey David –

I know that as AG this was something he spoke on quite a bit, but I'm not finding any record of his responses.

From: Fotouhi, David
Sent: Thursday, May 11, 2017 8:47 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: FW: Questions for Administrator

Lincoln: w/r/t question 4 in the attached document on Chevron deference to agency actions, do you happen to know if the Administrator is on record or has made statements in previous public speeches about the proper level of deference that courts owe agencies? I didn't find anything on point in his confirmation hearing or responses to written questions. Let me know—thanks so much!

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bolen, Brittany
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Lincoln Ferguson

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U.S. EPA

Message

From: Bolen, Brittany [bolen.brittany@epa.gov]
Sent: 5/11/2017 1:43:20 PM
To: Greenwalt, Sarah [greenwalt.sarah@epa.gov]
Subject: FW: Questions for Administrator
Attachments: Heritage Questions.docx

Hey Sarah, do you by chance know the administrator's stance on chevron? Lincoln sent over the attached with questions for an event tonight. As you know see from below, none of us are really sure how he would respond to Q4.

From: Dravis, Samantha
Sent: Wednesday, May 10, 2017 8:42 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>
Subject: Re: Questions for Administrator

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Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Message

From: Greenwalt, Sarah [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C13775B8F424E90802669B87B135024-GREENWALT,]
Sent: 3/30/2017 12:24:47 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: National Cattlemen's speech

I don't remember whether SP has ever said anything on that case.

Sarah A. Greenwalt

Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency

Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Ferguson, Lincoln
Sent: Thursday, March 30, 2017 8:15 AM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: FW: National Cattlemen's speech

Can you talk a look below? This is for a speech he's giving later this morning.

From: Brown, Byron
Sent: Wednesday, March 29, 2017 6:41 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: National Cattlemen's speech

Here are a couple of talking points on nutrient management issues. You should check with Sarah because previous OK AG Edmondson was involved in a lawsuit against Tyson foods claiming land application of chicken litter violated RCRA. The court rejected the argument. We could add a sentence or two referencing that decision but not sure what the Administrator's involvement on the issue may have been.

DRAFT

Deliberative Process / Ex. 5

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To: Brown, Byron <brown.byron@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: National Cattlemen's speech

Byron, looping you in on this as well.

Don't need anything super detailed – just need a few examples for SP to use tomorrow on rules/regulations that have had a negative effect on farming/ranching community.

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To: Dravis, Samantha <dravis.samantha@epa.gov>
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Sent: 3/30/2017 12:24:18 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: National Cattlemen's speech

As I recall, the company on their own initiative began to divert the waste from the Illinois River Basin and started selling more as fertilizer.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sarah A. Greenwalt

Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency

Work: 202-564-1722 | Cell: Ex. 6

Greenwalt.Sarah@epa.gov

From: Ferguson, Lincoln
Sent: Thursday, March 30, 2017 8:15 AM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: FW: National Cattlemen's speech

Can you talk a look below? This is for a speech he's giving later this morning.

From: Brown, Byron
Sent: Wednesday, March 29, 2017 6:41 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: National Cattlemen's speech

Here are a couple of talking points on nutrient management issues. You should check with Sarah because previous OK AG Edmondson was involved in a lawsuit against Tyson foods claiming land application of chicken litter violated RCRA. The court rejected the argument. We could add a sentence or two referencing that decision but not sure what the Administrator's involvement on the issue may have been.

DRAFT

Deliberative Process / Ex. 5

From: Ferguson, Lincoln
Sent: Wednesday, March 29, 2017 4:25 PM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: National Cattlemen's speech

Byron, looping you in on this as well.

Don't need anything super detailed – just need a few examples for SP to use tomorrow on rules/regulations that have had a negative effect on farming/ranching community.

From: Ferguson, Lincoln
Sent: Wednesday, March 29, 2017 4:12 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: National Cattlemen's speech

Hey Sam –

Tomorrow is the National Cattleman's Beef Association speech where SP will be speaking to approx. 300 cattlemen from across the country.

Are there any specific issues/policies he needs to be briefed on prior? WOTUS is obviously going to be their biggest deal, but they've also mentioned FIFRA/CERCLA, the SPCC rule, Clean Air Act and the National Enforcement Initiative.

Right now I have him doing the EPA Originalism speech but want to incorporate some of these if possible. Let me know your thoughts.

Lincoln Ferguson
Office of Public Affairs
(202) 564-1935
U.S. EPA

Message

From: Bolen, Brittany [bolen.brittany@epa.gov]
Sent: 5/10/2017 7:09:03 PM
To: Fotouhi, David [fotouhi.david@epa.gov]; Schwab, Justin [schwab.justin@epa.gov]
Subject: Fwd: Questions for Administrator
Attachments: Heritage Questions.docx; ATT00001.htm

You two want to take a crack at Q4?

Sent from my iPhone

Begin forwarded message:

From: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Date: May 10, 2017 at 2:17:58 PM EDT
To: "Brown, Byron" <brown.byron@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>
Subject: Questions for Administrator

Please take a look at the attached document. These are for a discussion tomorrow evening. Would appreciate your input on questions 4 and 6.

Thanks,
Lincoln

Lincoln Ferguson
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U.S. EPA